

**FILED**  
AUG 22 2008  
RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

WILLIAM ODESSA BROWN, II,

No. C 08-00750 CW (PR)

Petitioner,

ORDER GRANTING IN FORMA  
PAUPERIS STATUS AND DIRECTING  
RESPONDENT TO SHOW CAUSE WHY  
THE PETITION SHOULD NOT BE  
GRANTED

v.

L. E. SCRIBNER, Warden, et al.,

Respondents.

Petitioner, a state prisoner, has filed this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. He also seeks leave to proceed in forma pauperis. It does not appear from the face of the petition that it is without merit. Good cause appearing, the Court hereby issues the following orders:

1. Petitioner's application to proceed in forma pauperis is GRANTED.

2. The Clerk of the Court shall serve a copy of this Order and the petition and all attachments thereto upon Respondent and Respondent's attorney, the Attorney General of the State of California. The Clerk shall also serve a copy of this Order on Petitioner at his current address.

3. Respondent shall file with this Court and serve upon Petitioner, within one-hundred twenty (120) days of the issuance of this Order, an Answer conforming in all respects to Rule 5 of the Rules Governing Section 2254 Cases, showing cause why a writ of habeas corpus should not be issued. Respondent shall file with the Answer a copy of all portions of the relevant state records that have been transcribed previously and that are relevant to a determination of the issues presented by the petition.

  
CLAUDIA WILKEN  
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

WILLIAM ODESSA BROWN II,  
Plaintiff,

Case Number: CV08-00750 CW

**CERTIFICATE OF SERVICE**

v.

L E SCRIBNER et al,

Defendant.

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I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on August 22, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

William Odessa Brown K-93463  
Calipatria State Prison  
P.O. Box 5004  
Calipatria, CA 92233-5004

Warden  
Calipatria State Prison  
P.O. Box 5001  
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Attorney General  
State of California  
455 Golden Gate Avenue  
Suite 11000  
San Francisco, CA 94102

Dated: August 22, 2008

Richard W. Wieking, Clerk  
By: Clara Pierce, Deputy Clerk